

April 23 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. . DA 10-206

Robert Terrazas, P.C.
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FILED

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

<p>GREGORY TERNES,</p> <p style="text-align: right;">Appellant,</p> <p style="text-align: center;">v.</p> <p>STATE FARM FIRE AND CASUALTY COMPANY, KEITH EBERHARD, SUE EBERHARD,</p> <p style="text-align: right;">Appellees.</p>	<p style="text-align: center;">NOTICE OF APPEAL</p>
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NOTICE is given that Gregory Ternes, the Appellant above-named and who is the Plaintiff in that cause of action filed in the Fourth Judicial District, in and for the County of Missoula, as Cause No. DV-08-1306, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action by Judge John W. Larson on March 24, 2010.

THE APPELLANT FURTHER CERTIFIES

1. That this appeal is subject to the mediation process as required by M.R.App.P.7.
2. That this appeal is not an appeal from an order certified as final under M.R.Civ.P. 54(b).
3. That the notice required by M.R.App.P. 27 has been or will be given, within 11 days of the date hereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the Constitutionality of any act of the Montana Legislature.
4. That all available transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal.
5. That included with this notice of appeal is the filing fee prescribed by statute, or the affidavit to proceed without payment of the required filing fee prescribed in the Appendix of Forms as Form 3.

Dated this 22nd day of April, 2010.

TERRAZAS LAW OFFICES

By: 

Kathleen O'Rourke Mullins

CERTIFICATE OF SERVICE

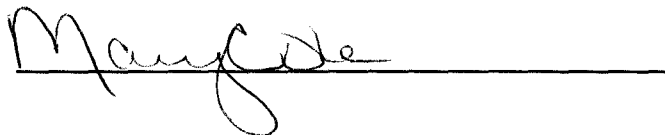
I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of District Court, each attorney of record, and each party not represented by an attorney in the above referenced District Court action as follows:

Montana Fourth Judicial District
Shirley E. Faust
200 W. Broadway
Missoula, MT 59802

Mr. Bradley J. Luck, Esq.
Garlington, Lohn & Robinson, PLLP
199 West Pine Street
P.O. Box 7909
Missoula, MT 59807-7909

Mr. Quentin Rhoades, Esq.
Ms. Liesel Shoquist, Esq.
Sullivan, Tabaracci & Rhoades, P.C.
1821 S. Avenue W. Ste 300
Missoula, MT 59801

Dated this 22nd day of April, 2010.

A handwritten signature, appearing to be "Margie", is written over a horizontal line.